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Atty. Dkt. No. 02CR360/KE (047141-0311)

REMARKS

Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

No claims are currently being amended. No new claims are being added. Claims 1-6 and 17-20 are now pending in this Application.

A detailed listing of all claims that are, or were, in the Application, irrespective of whether the claim(s) remain under examination in the Application, is presented, with an appropriate defined status identifier.

For simplicity and clarity purposes in responding to the Office Action, Applicants' remarks are primarily focused on the rejections of the independent claims (i.e. 1 and 17) outlined in the Office Action with the understanding that the dependent claims that depend from the independent claims are patentable for at least the same reasons (and other reasons) that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

35 U.S.C. § 102

On pages 3 and 4 of the Office Action, Claims 1-3, 17, 18, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 2004/0052372 ("Jakoubek"). Applicants respectfully traverse the rejection.

The Examiner stated "[t]o this date, 3/18/2008, the Jakoubek reference, application no. 10/229,877, still has a different inventive entity as the present application, and this reference can still be applied as a 102(e)" (Office Action dated 3/21/2008, page 2). The Applicant respectfully submits that the inventive entity of the Jakoubek reference and this application are the same because the Request for Correction of Inventorship in a Patent Application Pursuant to 35 U.S.C. § 116 under the provisions of 37 C.F.R. § 1.48(a) was granted on 3/4/2008. The Examiner

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acknowledged this fact when the Examiner stated "[i]t is noted that the 1.48 decision has been granted" (Office Action dated 3/21/2008, page 2).

Applicants also respectfully submit that the Applicants have filed a Renewed Petition to Accept an Unintentionally Delayed Priority Claim under 37 C.F.R. § 1.78(a) to Jakoubek for this pending application. The Renewed Petition to Accept an Unintentionally Delayed Priority Claim was filed to correct an improper incorporation by reference of Jakoubek. The Petition to Accept an Unintentionally Delayed Priority Claim under 37 C.F.R. § 1.78(a) states that priority of this application should be corrected to include Jakoubek.

Since the inventive entity is the same for Jakoubek and this patent application, Jakoubek cannot be utilized as a 102(e) reference to reject Claims 1-3, 17, 18, and 20. See 35 U.S.C. § 102(e).

Accordingly, Claims 1-3, 17, 18, and 20 are not anticipated by Jakoubek. The Applicants respectfully request withdrawal of the rejection of Claims 1-3, 17, 18, and 20 under 35 U.S.C. § 102.

35 U.S.C. § 103

On pages 5-7 of the Office Action, Claims 1-4, 17, 18, and 20 were rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,944,475 ("Campbell"); in view of U.S. Patent No. 5,991,642 ("Watanabe"); and in further view of U.S. Patent No. 6,041,035 ("The dens"). Applicants note that the The dens reference was not in the opening paragraph of the argument but was used in the body of the arguments relating to Claims 1, 2, 17, and 18. Claim 5 was rejected under 35 U.S.C. §103 as being unpatentable over Campbell, The dens, and in view of U.S. SIR Reg. No. H1,836 ("Fletcher"). Claims 6 and 19 were rejected under 35 U.S.C. §103 as being unpatentable over Campbell, The dens, and in view of U.S. Patent No. 5,960,344 ("Mahany"). Applicants respectfully submit that these references, alone or in combination, do not render obvious that which is recited in Claims 1 and 17.

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Independent Claims 1 and 17

Campbell relates to a "transceiver-processor building block (700) for implementation of radio systems" (Campbell, Abstract). Watanabe relates to a "mobile communication system having a control station which selects speech coding schemes for a mobile station" (Watanabe, Title). The dens relates to a "open system module electronics architecture" (The dens, Title).

Campbell in combination with Watanabe and/or The dens would not have resulted in the subject matter recited in independent Claim 1 because the proposed modification of Campbell in combination with Watanabe and/or The dens does not disclose, teach, or suggest a "multi-channel radio ... wherein the second common bus directs an encoded information so that it is received by an intended processor of the second set of more than one processors and not received or understood by another processor of the second set of more than one processors."

Campbell in combination with Watanabe and/or The dens would not have resulted in the subject matter recited in independent Claim 17 because the proposed modification of Campbell in combination with Watanabe and/or The dens does not disclose, teach, or suggest a "multi-channel radio ... and a common bus interface coupled between the first set of processors and the second set of processors, the interface configured to isolate processors of the second set of processors from one another based on the information security level."

The Examiner previously stated "the Campbell combination does not teach explicitly wherein the second common bus directs the encoded information so that it is received by the intended processor of the second set of processors and not received or understood by other of the processors of the second set of processors" (Office Action dated 06/04/2007, pages 7-8). The Examiner now states:

Campbell also teaches wherein the second common bus directs an encoded information so that it is received by an intended processor of the second set of more than one processors and not received or understood by another processor of the second set of more than one

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processors (col. 5 line 60 to col. 6 line 14) (Office Action dated 3/21/2008, page 6).

Applicants respectfully submit that the statement made by the Examiner in the Office Action dated 06/04/2007 in which the Examiner stated that the Campbell combination does not teach explicitly wherein the second common bus directs the encoded information so that it is received by the intended processor of the second set of processors and not received or understood by other of the processors of the second set of processors is correct. The Applicants respectfully submit that Campbell in combination with Watanabe and/or The dens do not appear to disclose, teach, or suggest a "multi-channel radio ... the second common bus directs an encoded information so that it is received by an intended processor of the second set of more than one processors and not received or understood by another processor of the second set of more than one processors." Applicants submit that the Examiner has not established a *prima facie* basis to deny patentability to the claimed invention under 35 U.S.C. §103. The Examiner has failed the requisite factual basis because the rejection does not comply with the all claim limitations standard under 35 U.S.C. §103. None of the cited references, alone or in proper combination, disclose, teach, or suggest the subject matter recited in independent Claims 1 and 17.

Applicants respectfully submit that the subject matter recited in independent Claims 1 and 17 are not properly rejected under 35 U.S.C. § 103(a) by these cited references. Accordingly, Applicants request withdrawal of the rejection of Claims 1-4, 17, 18, and 20. See 35 U.S.C. § 112 ¶ 4

Dependent Claims 5, 6, and 19

On pages 7-10 of the Office Action, Claims 5, 6, and 19 were rejected under 35 U.S.C. §103 as being unpatentable over Campbell; in view of The dens; in view of Fletcher; and in view of Mahany. Applicants respectfully traverse the rejections. Applicants respectfully submit that these references, alone or in combination, do not render obvious that which is recited in Claims 5, 6, and 19.

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Claims 5 and 6 depend from Claim 1 and include all of the limitations thereof. Claim 19 depends from Claim 17 and includes all of the limitations thereof. Fletcher and/or Mahany do not cure the deficiencies of Campbell, Watanabe and/or Thedens noted above with reference to Claims 1 and 17. Therefore, Applicants request withdrawal of the rejection of Claims 5, 6 and 19. See 35 U.S.C. § 112 ¶ 4

* * *

Applicants believe that the present Application is now in condition for allowance. Favorable reconsideration of the Application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present Application.

Further, Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present Application and should not be considered when evaluating any other patent or patent application including any patents or patent applications which claim priority to this patent Application and/or any patents or patent applications to which priority is claimed by this patent Application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this Application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date

5/19/2008

By

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